Section 5.0

OTHER CEQA SECTIONS

5.0 – OTHER CEQA SECTIONS

The State CEQA Guidelines require the discussion of the cumulative impacts, growth-inducing impacts, significant unavoidable and significant irreversible effects, and effects found not to be significant (State CEQA Guidelines Sections 15126, 15128 and 15130). The following sections address these issues as they relate to adoption and implementation of the proposed SP and current SDP proposal.

5.1 CUMULATIVE IMPACTS

The State CEQA Guidelines define cumulative impacts as "two or more individual effects that, when considered together, are considerable or which compound or increase other environmental impacts." The Guidelines further state that the individual effects can be the various changes related to a single project or the changes involved in a number of other closely related past, present, and reasonably foreseeable probable future projects (State CEQA Guidelines Section 15355).

5.1.1 Geographic Scope of Cumulative Impact Analysis

The geographic scope of the cumulative impact analysis varies depending upon the environmental issue being analyzed. For the purposes of this EIR, the city limits of Carlsbad define the geographic scope for the analysis of cumulative impacts to land use and planning, utilities and service systems, aesthetics and hazards/hazardous materials. The City's General Plan, Zoning Ordinance, Growth Management Plan, Local Facilities Management Plan (LFMP) and development policies address land use, utilities and service systems and aesthetic issues.

The North County subregional area is used as the geographic scope for the analysis of geology/soils and paleontological resources due to the location of similar formational materials and geotechnical hazards.

The geographic context for the analysis of cumulative impacts for prehistoric cultural resources consists of the Kumeyaay national territory that extended roughly from below Santo Tomas in Mexico north to the San Luis Rey River and east to the Colorado River. A wide variety of hunting, gathering, habitation and other sites are located within this region. Prehistoric sites located within coastal San Diego County include sites dating back to Early Period Native American occupation of the region that have been identified to have intact midden deposits and human burials. These coastal areas were a preferred location for prehistoric inhabitants, just as

they are for current residents. Many of these coastal sites have been lost due to urban development and, in areas immediately along the coast, to natural erosion along the seashore.

The San Diego Air Basin is used as the geographic scope for the analysis of cumulative air quality and greenhouse gas impacts due to the existence of Regional Air Quality Strategy plans and requirements set forth by the SDAPCD that apply to all cumulative projects within the San Diego Air Basin. It should, however, be noted that climate change effects from greenhouse gas emissions are a global phenomena.

The Carlsbad Hydrologic Unit/Buena Vista Creek Hydrologic Area defines the geographic scope related to hydrology and water quality as cumulative development in these watersheds could impact the drainage and water quality of the watershed and downstream water bodies.

The geographic scope for traffic/circulation is defined in Figure 4.12-1, in Section 4.12, *Transportation/Traffic*, of this EIR. This study area covers of the northwest corner of Carlsbad east of I-5 and south of SR-78 and extends into the southwestern portion of the City of Oceanside.

The circulation system within and immediately adjacent to the site defines the geographic scope for the analysis of cumulative noise impacts due to the anticipated project contribution of vehicular traffic-generated noise on existing roadways and on-site construction- and operations-generated noise on surrounding land uses.

5.1.2 Cumulative Projects

Related projects that need to be considered with respect to cumulative impacts include those that would contribute to impacts on the same environmental resources, infrastructure or public services and facilities that would also be impacted by the SP and current SDP proposal evaluated in this EIR. This could include projects located outside of the Lead Agency's jurisdiction. For the purpose of this EIR, a list of approved and projected future development projects was compiled to develop a reasonable estimate of the cumulative impacts that would occur within neighboring portions of both Carlsbad and Oceanside. The location of these projects is illustrated in Figure 5-1, *General Location of Cumulative Projects*. A brief description of these projects is presented below; the numbers correspond to the locations shown on Figure 5-1.

1. **Inns at Buena Vista Creek Hotel Development**: Proposed for the parcel located northwest of the project site in the cities of Oceanside and Carlsbad. Site located east of

Jefferson Street interchange with SR-78. Development would include a business hotel, an extended stay hotel and a family-oriented vacation-type hotel for a total of 426 rooms.

2. **Marron Road Extension**: Roadway improvement project would connect current extension of Marron Road from approximately 200 feet east of its intersection with Avenida de Anita to 1,500 feet west of its intersection with Lake Boulevard, providing a continuous four-lane major arterial between Jefferson Street and Lake Boulevard.

3. **Rancho del Oro Road Extension and Interchange at SR-78**: Roadway improvement project would extend Rancho del Oro Road south of Vista Way and connect it to the Marron Road extension described above; improvement also proposes to construct a diamond interchange at Rancho del Oro Road and SR-78 just south of its intersection with Vista Way.

4. **Buena Vista Lift Station Sewer Force Main**: This project would relocate the existing sewer line within the Buena Vista Lagoon Area, onto the Jefferson Street and Las Flores ROWs as a result of damage caused by sewer spills within Buena Vista Creek. This project is under construction which will be complete in August 2012.

5. **Buena Vista Creek Channel Maintenance Project:** Maintenance would take place along the stretch of Buena Vista Creek from north of the project site to Jefferson Street to the west. Routine maintenance and flood control activities within Buena Vista Creek as authorized under a current Streambed Authorization Agreement from the California Department of Fish and Game.

5.1.3 Cumulative Impact Analysis

Aesthetics

The proposed project is located in a heavily urbanized portion of the cities of Carlsbad and Oceanside (as shown in Figure 5-1) where little vacant land exists. Of the five projects in the cumulative study area defined above, the Inns at Buena Vista Creek Hotel Development has the greatest potential to have overlapping aesthetic impacts with the proposed project because it would result in new urban development in close proximity to the SP area. However, the hotel project would be situated northwest of the SP area and would not be located along a designated scenic corridor. Local planning policies and development standards, including specific policies related to visual resources and grading design standards, would reduce aesthetics impacts

avoiding a cumulatively significant aesthetics impact. In addition, the proposed project's contribution to a potential cumulative aesthetics impact would be beneficial to the aesthetics of the El Camino Real Scenic Corridor and project-specific aesthetics impact would be less than significant. Therefore, the project would not contribute to a significant cumulative aesthetics impact.

Air Quality

In analyzing cumulative air quality impacts from a proposed project, the analysis must specifically evaluate a project's contribution to the cumulative increase in pollutants for which the SDAB is listed as "non-attainment" for the State AAQS. A project that has a significant impact on air quality with regard to emissions of PM_{10}, NO_x, and/or ROCs, as determined by the screening criteria outlined in Section 4.2, *Air Quality*, would have a significant cumulative effect. In the event that direct impacts from a project are less than significant, a project may still have a cumulatively considerable impact on air quality if the emissions from the project, in combination with the emissions from other proposed or reasonably foreseeable future projects, are in excess of screening levels identified in Section 4.2, and the project's contribution accounts for more than an insignificant proportion of the cumulative total emissions.

With regard to past and present development, the background ambient air quality, as measured at the monitoring stations maintained and operated by the SDAPCD, measures the concentrations of pollutants from existing sources. Past and present development impacts are therefore included in the background ambient air quality data. With regard to cumulative impacts associated with ozone precursors, in general, provided a project is consistent with the land use designations in the local General Plan, it has been accounted for in the ozone attainment demonstration contained within the State Implementation Plan, and would not cause a cumulatively significant impact on the ambient air quality for ozone.

The Transportation Study (Gibson 2012) took into account traffic associated with future growth in the area in the Near-term and Horizon Year evaluations, including the two cumulative transportation improvements projects listed above. Based on the Transportation Study, the LOS would not change at most affected intersections; thus, cumulative traffic would not cause a CO "hot spot" to form.

As shown in the construction emissions evaluation in Section 4.2.3, the emissions of PM_{10} would be below the significance levels. Because of the localized nature of PM_{10} impacts, and because all of the present and reasonably foreseeable future projects would not be undergoing construction at the same time as the current SDP proposal, the PM_{10} impacts associated with

construction would not be cumulatively significant. Furthermore, because the proposed SDP's operational emissions of PM_{10} would be less than the daily and annual significance threshold, the SDP would not result in a cumulatively considerable net increase of PM_{10}. Also, since the project is consistent with the regional air quality plan, which is based on regional air emission budgets attributable to regional growth projections, the project's contribution to cumulative air quality impacts would be less than considerable.

With regard to cumulative impacts associated with ozone precursors, since the proposed SDP is consistent with the Carlsbad General Plan it has been accounted for in the ozone attainment demonstration. Thus, the SDP would not result in a cumulatively significant impact on the ambient air quality.

Cultural Resources

As discussed in Section 4.3, *Cultural Resources*, although the majority of the site was filled with compacted soils at the time of shopping center construction, there is the potential for buried cultural resources to occur within portions of the SP area, most notably within an area in the southwestern portion of the SP area which does not appear to have been filled. Native American monitoring would be required during initial ground disturbance and grading operations within the SP area, and a qualified archaeologist would be retained to investigate the find if archaeological resources are discovered during construction. In addition, the archaeologist would make recommendations as to the disposition of any material found, and consult with the Pala Band of Mission Indians as to the significance of the discovery. If human remains are discovered during construction, site work would cease and the County Coroner would be contacted, in accordance with procedures set forth in Section 7050.5 of the California Health and Safety Code. If the remains are determined to be Native American, the Native American Heritage Commission would be notified and the remains treatment would comply with procedures consistent with Public Resources Code Section 5097.98 *et al*. Based on the relative cultural sensitivity of the overall area, monitoring also would be required for any cumulative projects in the vicinity of the SP area that would have the potential to impact cultural resources. Implementation of the proposed mitigation measures for cultural resources and adherence to the City's adopted Cultural Resource Guidelines (1990) and state regulations would avoid or reduce cumulative impacts. The proposed SDP's contribution to a cumulative impact would not be significant, as the potential for encountering resources is low and project-specific impacts would be mitigated to below a level of significance. Therefore, the proposed SDP, in combination with future projects within the SP area and vicinity, would not result in impacts to cultural resources that would be cumulatively considerable.

Energy

Construction of the proposed project, as well as the other cumulative projects in the project area, would involve the consumption of energy resources, such as fuel and electricity. Each project would minimize the amount of energy used during construction so as to prevent the unnecessary consumption of energy. With the exception of the Buena Vista Lift Station Sewer Force Main and Buena Vista Creek Channel Maintenance Project, operational energy associated with new construction would be minimized by integrating the efficiency standards and conservation measures contained in the 2008 Title 24 and the CALGreen building code. As noted in Section 4.4 of this report, the proposed project would improve existing energy consumption rates at the shopping center as part of the renovations that would improve facility performance. Therefore, no cumulatively significant energy impacts are identified.

Geology and Soils

Except for large-scale effects associated with activity along regional earthquake faults, geological constraints and hazards are localized to specific project sites, and potential impacts are associated with the site-specific geophysical properties and the structural and occupancy characteristics of the proposed land uses. Cumulative impacts to geologic resources would be considered significant if the project would be impacted by geologic hazards and if the impact could combine with off-site geologic hazards. The contribution of the SP and current SDP proposal to a cumulative impact associated with geology and soils would not be cumulatively considerable, because the project-specific impact would be mitigated to a level less than significant through site-specific improvements. Additionally, geologic impacts from development under the SP, including the current SDP proposal, would be confined to the SP area and would not create an off-site geologic impact. Because geology and soils impacts specific to the SP area would be reduced to a level less than significant with existing requirements and mitigation measures contained in EIR Section 4.5, *Geology and Soils*, and the geologic conditions of the southern California region would essentially be the same whether or not the proposed project is implemented, any development under the SP, including the current SDP proposal, would not contribute to a cumulatively significant impact related to geology and soils.

Greenhouse Gas Emissions

Global climate change is caused by the addition of massive quantities of GHGs to the atmosphere due primarily to human activities in the last 150 years all over the world. For example, about 26 billion metric tons of CO_2 were added to the Earth's atmosphere in 2005

alone. If viewed apart from the GHG emissions produced by activities elsewhere in the world, the mass of GHG emissions generated by an individual development project such as the proposed SDP would be so minute that the concentration of GHGs in the atmosphere would essentially remain the same. Analyzing project-level climate change impacts is considered speculative under State CEQA Guidelines Section 15145 since there is no universally accepted threshold of significance or method of analysis. In fact, Section 15064.4 of the State CEQA Guidelines clearly indicates that project-level analysis of GHG emissions should focus on the project's incremental contribution to cumulative effects. Therefore, it is appropriate to evaluate a project's contribution to global climate change in this cumulative, worldwide context. As discussed in Section 4.6, *Greenhouse Gas Emissions*, of this EIR, the SP and current SDP proposal would be consistent with AB 32's goals of reducing GHG emissions to 1990 levels by 2020, and the project's effect on GHG emissions would be less than cumulatively considerable because through project design features and regulatory requirements promulgated for vehicles, the proposed project would achieve the GHG reductions required by the City of Carlsbad.

Hazards and Hazardous Material

Implementation of the proposed SDP and related demolition and renovations to portions of existing structures would have the potential to disturb asbestos-containing material (ACM) and/or lead-based paint (LBP), given the age of the on-site structures. Safe removal of the hazardous materials, in accordance with the state and federal regulations, would prevent the effects of their disturbance from migrating to off-site areas. None of the other cumulative projects in the study area would involve the demolition of existing structures of an age that would also cause the disturbance of ACM or LBP. Therefore, the proposed project would not contribute to cumulative hazards or hazardous materials impacts within the City of Carlsbad.

Hydrology and Water Quality

Implementation of the proposed SDP would reduce impervious surfaces within the SP area and corresponding storm water runoff volumes. The SDP would not substantially alter on- or off-site drainage patterns/directions, generate substantial related on- or off-site erosion/siltation, or result in substantial changes to runoff rates/amounts and associated flooding hazards. To the extent that there are other active grading and construction projects underway at the same time within the Buena Vista Creek watershed, the proposed project's construction phases may contribute to short-term, cumulative water quality impacts associated with erosion/siltation (sedimentation), on-site use and storage of construction-related hazardous materials (e.g., fuels, etc.), generation of debris from demolition activities, and disposal of extracted groundwater. Compliance with

the project SWPPP, which would be prepared for the current SDP proposal pursuant to federal NPDES Construction and Groundwater Permit requirements and City guidelines, however, would reduce the potential for short-term cumulative effects to below a level of significance.

Land Use and Planning

The current SDP proposal consists of the removal, renovation, and/or redevelopment of portions of the east end of the existing mall structure, out-buildings, and surface parking lots. The SDP area is generally surrounded by existing developed urban land uses and the proposed development has been determined to be compatible with these existing surrounding land uses. In addition, the analysis in Section 4.9, *Land Use and Planning*, of this EIR has determined that no significant impact would occur to existing land use plans and policies with implementation of the proposed SP, including the Carlsbad General Plan, Growth Management Plan, and other regulatory and environmental documents adopted by the City. Land uses in Carlsbad would significantly change during buildout of the Carlsbad General Plan, and achievement of orderly growth would be dependent upon other future development occurring in a manner that is also consistent with the General Plan, Growth Management Plan, and other applicable development regulations cited in Section 4.9. Based on the project's land use compatibility and consistency with existing land use plans and policies, the SP and current SDP proposal would not contribute to potential cumulative land use impacts that might result from other future development.

Noise

As discussed in Section 4.10, *Noise*, noise-sensitive residential receptors in the vicinity of the SP area and current SDP proposal are currently exposed to noise in excess of the compatibility limit of 60 dB CNEL set in the City of Carlsbad Noise Guidelines Manual and Noise Element (refer to Table 4.10-3). The primary factor influencing noise levels in the project vicinity is roadway noise from local roads and SR-78. In addition, HVAC equipment and parking lot activity at the existing Westfield Carlsbad shopping center also contribute to ambient noise levels. In the future, noise levels are predicted to decrease as traffic volumes reduce in response to the planned Circulation Element improvements (see Tables 4.10 -5 through 4.10-7). Two of the cumulative projects listed above would help lessen roadway noise levels by expanding the roadway network in the study area. If those roadway improvements are not implemented, noise would likely increase over time. However, cumulatively significant noise would continue to expose the residential receptors to noise in excess of the limit of 60 dB CNEL set in the City of Carlsbad Noise Guidelines Manual and Noise Element. The proposed project's contribution to these cumulative

impacts would be less than considerable because changes to local roadway noise levels attributable to the project would not be audible (i.e., less than 2 dB) (as noted in Section 4.10.4).

As far as the other cumulative project's contributions to this cumulatively significant noise impact, the planned roadway extensions/interchange would only lessen cumulative noise levels by dissipating local traffic; the sewer force main and channel maintenance would not produce long-term operational noise; and potential stationary sources at the hotel development would be a sufficient distance from the residential receptors south of Marron Road such that its contribution likely would not be considerable. In addition, traffic from the hotel development was factored into in the long-term forecasts for the area contained in the project Transportation Study (Gibson 2012). Therefore, the proposed SDP, in combination with future projects within the SP area and vicinity, would not result in noise impacts that would be cumulatively considerable.

Paleontological Resources

As discussed in Section 4.11, *Paleontological Resources*, there is the potential for paleontological resources to occur within the SP area. Paleontological monitoring would be required during any construction within the SP area, along with fossil recovery and curation (if applicable), and submittal of a monitoring results report if paleontological resources are encountered. Monitoring also would be required for any cumulative projects in the vicinity of the proposed project that would have the potential to impact such resources. Implementation of the proposed mitigation measures for paleontological resources and adherence to the City's adopted Cultural Resource Guidelines and state regulations would avoid or reduce cumulative impacts. The proposed SDP's contribution to a cumulative impact would not be significant, as project-specific impacts would be mitigated to below a level of significance. Therefore, the proposed SDP, in combination with future projects within the SP area and vicinity, would not result in impacts to paleontological resources that would be cumulatively considerable.

Transportation/Traffic

Implementation of the proposed SP and SDP would introduce new vehicular and alternative transportation trips to and from the SP area on the existing roadway network. As discussed in Section 4.12 of this report, the proposed project would contribute to cumulative impacts to roadway segments and intersections in the study area within the cities of Carlsbad and Oceanside. Within the City of Carlsbad, the project's contribution to cumulative impacts would not be considered considerable because all segments would operate at acceptable levels. The City of Oceanside's Circulation Element policy, however, is that any development project that adds

traffic to street segments projected to operate at a daily LOS of D or worse pay a fair-share contribution towards creative measures to enhance roadway capacity. As shown in Table 4.12-10, the project would add trips to three street segments in the City of Oceanside that are projected to operate at a daily LOS of D in the Horizon Year (Year 2030). Therefore, per the City of Oceanside's criteria, the project is expected to result in an indirect cumulative impact at the following segments:

- Vista Way west of El Camino Real;
- Jefferson Street south of Vista Way; and
- El Camino Real south of Vista Way.

The project applicant will be required to make a fair-share fee contribution towards adaptive-responsive signals along these segments to improve traffic operations as noted in Section 4.12 of this report, which would mitigate this cumulative impact to a less than significant level. As noted above, future traffic associated with the cumulative projects listed herein was factored into the forecasts contained in the Transportation Study (Gibson 2012). Thus, the other projects in the study area would also contribute considerably to the cumulative impacts noted above since the impacts are predicted with and without the proposed project.

Utilities and Service Systems

As discussed in Section 4.13, *Utilities and Service Systems*, the current SDP proposal would not result in significant impacts to water supply. Moreover, the City of Carlsbad Water Reclamation Master Plan recommends the future provision of recycled water to Westfield Carlsbad, which would reduce the quantity of potable water use within the SP area. Future development under the SP and within the SP area vicinity would be required to analyze water demand and supply and avoid conflicts with conservation plans. Therefore, the proposed SP, current SDP proposal, and projects in the cumulative area are not anticipated to result in cumulatively considerable water supply impacts.

As discussed in Section 4.13, no significant wastewater impacts would occur from implementation of the current SDP proposal. The need to improve utility services including wastewater infrastructure is determined on a case-by-case basis, and public utilities consequently require upgrades, expansion or new construction of facilities, the cost of which is borne by a combination of developer impact fees and enterprise and general fund revenues. The proposed SP, current SDP proposal, and pending projects in the cumulative area are not expected to result in impacts to wastewater infrastructure that would be cumulatively considerable.

Although some minor modifications would be made, new storm drain improvements are not proposed under the current SDP as the existing infrastructure was found to be adequate to support flows associated with the proposed project. As with water and wastewater infrastructure, the need to improve storm drains would be determined on a case-by-case basis for future development under the SP. The SP, current SDP proposal, and pending cumulative projects in the area are not expected to result in impacts to storm drains that would be cumulatively considerable.

Since the SP is consistent with the City's General Plan, it would not represent unplanned commercial development in this area. However, increases in demand for utilities and service systems would occur as the population and development in Carlsbad increases. The provision of adequate utilities and service systems is a requirement of the City of Carlsbad's Growth Management Plan and LFMP. Impacts to utilities and service systems would be addressed on a project-by-project basis through service agreements or compliance with growth management standards, thereby avoiding a cumulative impact. Project-level utilities and service system impacts and environmental impacts associated with the alteration, expansion or construction of new facilities would be avoided. Therefore, the project would not contribute to a significant cumulative impact to utilities and service systems.

5.2 GROWTH-INDUCING IMPACTS

This section of the EIR considers the ways implementation of the proposed project could directly or indirectly encourage economic or population growth in the region. The State CEQA Guidelines refer to growth inducement as ways in which the proposed project would foster economic or population growth, or the construction of additional housing, either directly or indirectly, in the surrounding environment (State CEQA Guidelines Section 15126.2(d)).

The proposed SP provides guidance for the revitalization and expansion of the Westfield Carlsbad shopping center. The current SDP proposal consists of the removal, renovation, and/or redevelopment of portions of the east end of the existing mall structure and associated out-buildings. The land uses proposed for the SP area would be consistent with the existing C-2 zone identified in the City of Carlsbad Zoning Ordinance and the R land use designation identified in the City's General Plan. During SDP construction, demand for various construction trade skills and labor would increase. It is anticipated that this demand would be met by the local labor force and would not require importation of a substantial number of workers that could cause an increased demand for temporary or permanent housing in this area.

The completed development would create additional part-time and full-time employment, involving a variety of jobs ranging from low to higher wage scales. None of the anticipated commercial, retail or restaurant uses would require the importation of a specialized work force and the labor pool within the vicinity of the project is adequate. While the project has the potential to foster economic growth for the City through expanded retail sales and property tax revenues, it is expected to have a limited effect on regional population growth because it would draw from the local population for jobs.

The SP area is currently developed and is designated for commercial uses and surrounded by existing and planned urban development and infrastructure. The economic growth associated with the expanded commercial space on the Westfield Carlsbad property would have beneficial effects in the City due to the increased sales tax and property tax revenues, but would not trigger population growth or urban development which would potentially have environmental consequences.

The infrastructure (e.g., roads, water, sewer and electrical lines) needed by the proposed expansion are readily accessible to the SP area. The current SDP proposal would not require the extension or expansion of public services, utilities or infrastructure to an area that is not already serviced by local utilities or services. It would not require extension of any roads. The level of development and demand for utilities and infrastructure that would result from approval of the proposed project would not exceed buildout assumptions of the Zone 1 LFMP. The LFMP process, described in Section 4.9, *Land Use and Planning*, includes restrictions on the timing and phasing of development in relation to the provision of community services and infrastructure. The City's Growth Management Plan Policies, which are enforced in the LFMPs, would continue to monitor growth in the area to maintain adequate levels of service for the people of Carlsbad. In addition, development of the proposed project would not remove any physical barriers to growth. Therefore, growth inducement is not expected to occur as a result of the proposed project.

5.3 SIGNIFICANT IRREVERSIBLE ENVIRONMENTAL CHANGES

Development of the current SDP proposal and adoption of the SP would result in the consumption of non-renewable energy resources, which would have a significant irreversible effect on such resources. Several irreversible commitments of limited resources would result from implementation of the proposed project. The resources include but are not limited to the following: lumber and other related forest products; sand, gravel, and concrete; asphalt; petrochemical construction materials; steel, copper, lead, and other metals; and potable water. However, given the minor amount of these resources that would be consumed for a project of this size, the impact would be less than significant. Furthermore, most of these resources would

be consumed during construction and, therefore, would not lead to a substantial on-going consumption of non-renewable resources as the project design features a number of resource conservation and sustainability measures, as discussed in Section 3.0, *Project Description*.

5.4 UNAVOIDABLE SIGNIFICANT ENVIRONMENTAL IMPACTS

Analysis of environmental impacts caused by the proposed SP and current SDP proposal has been performed and is contained in Section 4.0, *Environmental Impacts and Mitigation Measures*. No unavoidable significant environmental impacts were identified in this EIR.

5.5 EFFECTS NOT FOUND TO BE SIGNIFICANT

Analysis of environmental impacts caused by the Westfield Carlsbad SP and current SDP proposal has been performed and is contained in Section 4.0 of this EIR. The following impact areas were analyzed as part of this EIR and were found to not be significantly affected by the project, based on thresholds provided in Appendix G of the State CEQA Guidelines:

- Agriculture and Forest Resources (project-level and cumulative)
- Biological Resources (project-level and cumulative)
- Mineral Resources (project-level and cumulative)
- Population and Housing (project-level and cumulative)
- Public Services (project-level and cumulative)
- Recreation (project-level and cumulative)

Section 15128 of the State CEQA Guidelines requires that an EIR contain a brief statement of the reasons that certain issues have been identified during the environmental review process as having no, or no significant, project-related impacts and are therefore not addressed in the EIR. These issues are summarized below, with all other potential issue areas evaluated in the preceding sections of this EIR.

1.5.1 Agriculture and Forestry Resources

The proposed project would occur entirely within an existing shopping center facility in an urbanized area generally surrounded by developed land. The SP area neither contains nor is immediately adjacent to land designated as grazing land, prime farmland, unique farmland or farmland of local or statewide importance, as designated by the California Department of Conservation. Similarly, the SP area neither contains nor is immediately adjacent to forest land

or timberland, as identified by the California Department of Forestry and Fire Protection. The proposed shopping center revitalization project would not involve other changes to the environment which, due to the location or nature, could result in conversion of Farmland to non-agricultural use or conversion of forest land to non-forest use. Therefore, no impacts to agriculture or forestry resources would occur as a result of implementation of the current SDP proposal.

5.5.2 Biological Resources

The SP area is currently developed with a regional shopping center surrounded by surface parking lots. As described in the Biological Resources Letter Report prepared for the current SDP proposal by HELIX (2010), no natural communities are present on the project site, although habitat associated with Buena Vista Creek is located approximately 400 feet north of the SP area. The SP area and portions of Buena Vista Creek to the north are located within the planning area of the HMP, although neither is identified within the core habitat area or designated as Hardline Preserve or Standards Areas (City of Carlsbad 2004c). The portion of Buena Vista Creek north of the project site is within the Draft Subarea Plan for the City of Oceanside but not within any Pre-approved Mitigation Area for that plan. The current SDP proposal would not result in any direct impacts to biological resources, as the site is fully developed and none of the proposed impact areas contain sensitive vegetation or species. No direct impacts to off-site areas, including Buena Vista Creek, would occur.

Indirect impacts to nearby sensitive biological resources that may be caused by implementation of the current SDP proposal are associated with edge effects. Edge effects take place when disturbance, development or grading occurs within or adjacent to an undeveloped area which contains sensitive biological resources. Edge effects include human activity, invasive plant species, nuisance animal species, animal behavioral changes, night lighting, decreased water quality and roadkill. Additionally, the proposed project has the potential to cause temporary indirect impacts due to noise and fugitive dust generated during construction. Analysis of potential indirect impacts with regard to each of these edge effects is provided below.

Human Activity

Increases in human activity in an area often result in degradation of sensitive vegetation by further fragmenting habitat through creation of trails, removal of existing vegetation and illegal dumping (landscape debris, trash and other refuse). Human activity adjacent to Buena Vista Creek is expected to remain the same with project implementation since all construction would occur a minimum of approximately 175 feet away from the creek along the northeastern, eastern,

and southeastern sides of the mall, and the majority of construction would be at least approximately 350 feet away from the creek. Therefore, no significant impact associated with human activity would occur.

Invasive Plants

Invasive plants have potential to spread from developed or disturbed areas to adjacent native habitats. Such invasive species can displace native vegetation reducing the diversity of native habitats and potentially increasing flammability, changing ground and surface water levels and adversely affecting native wildlife. The project site currently contains some sparsely landscaped areas. Areas to be landscaped or re-landscaped during project construction would not include land adjacent to Buena Vista Creek. Because the construction of the proposed project would occur on already developed land and because no invasive plant species on the Cal-IPC "Invasive Plant Inventory" list are in the landscape concept of the SP or the SDP's landscape plan, impacts due to plant invasions are expected to be less than significant.

Nuisance Animal Species

Domesticated animals, particularly cats, are known to impact native wildlife in the habitat areas immediately adjacent to development. The proposed project (which would involve redevelopment and expansion of an existing shopping center), however, would not result in introduction of domestic animals to the surrounding habitat, as the project would not include residential development that may introduce pets into the area. Other nuisance animal species may include, for example, brown-headed cowbirds (*Molothrus ater*), which are invasive nest predators that can greatly reduce the breeding success of native birds. This species may be in the area, but the proposed project would not increase the number of brown-headed cowbirds or other nuisance animals in the surrounding habitat. Therefore, no impact associated with nuisance animal species is expected.

Night Lighting

Night lighting exposes wildlife species to an unnatural light regime and may alter their behavior patterns, causing them to have lower reproductive success, thus reducing species diversity. Current operations of the shopping center include night lighting in the parking areas nearest the creek and along the façade of the mall, which would not change or increase with implementation of the proposed project. As stated in the Development Standards of the Westfield Carlsbad SP, outdoor lighting would be directed downward and designed to minimize light and glare impacts to adjacent properties, including Buena Vista Creek. Therefore, impacts due to night lighting would be less than significant.

Water Quality

The use of petroleum products (i.e., fuels, oils, lubricants) and erosion could potentially contaminate surface water, adversely affecting vegetation, aquatic animals and terrestrial wildlife. The proposed project would result in a decrease in imperious surfaces, as the project site would be developed with more landscaping and pervious pavement than currently exists. The project would also include the addition of vegetated drainage swales to decrease the amount of runoff from the site, consistent with the City Storm Water Management and Discharge Control Ordinance. Furthermore, implementation of BMPs per the City Grading Ordinance would reduce potential short-term water quality impacts during construction. Accordingly, short- and long-term impacts to Buena Vista Creek's water quality would be less than significant.

Roadkill

Roadkill impacts would be considered significant if they resulted in adverse effects to federally or state listed species. No such species are located on the project site; however, a southwestern willow flycatcher was observed in Buena Vista Creek, immediately adjacent to the northern boundary of the project site, in 1984. In the event that southwestern willow flycatcher is still in this location, it is unlikely that it would be physically impacted by vehicles, as birds can fly above roadways and vehicles and no increase in vehicle travel adjacent to the creek is anticipated. Therefore, any impacts due to roadkill would be less than significant.

Noise

Noise from construction equipment and vehicular traffic would be a temporary impact to local wildlife. Noise impacts would be considered significant if sensitive species were displaced and failed to breed as a result of increased noise levels. Although southwestern willow flycatcher was observed in Buena Vista Creek immediately north of the project site in 1984, due to the presence of a freeway (i.e, SR-78) directly north of Buena Vista Creek in this area, as well as the current development on the other sides of the creek, it is unlikely that sensitive species, including the southwestern willow flycatcher, would reside or breed in this small portion of the creek. In addition, surveys conducted for the Oceanside Draft Subarea Plan have not detected such species in the area. Furthermore, the closest area of proposed construction associated with the project would be approximately 175 feet away from Buena Vista Creek, and the majority of the project construction would be at least approximately 350 feet away from the creek. Due to the intervening distance, it is anticipated that temporary construction noise would not affect animal species, including during breeding seasons. With regard to project operation, because the site is

currently developed and operating as a commercial use, and the number of vehicles associated with the project traveling near the creek is not expected to increase, animals utilizing the creek in this area would not be affected by project-related operational noise. Impacts associated with noise, therefore, are anticipated to be less than significant.

Fugitive Dust

Dust released during construction activities could cover vegetation in adjacent habitat areas, which could reduce native plant productivity, in turn displacing native vegetation, reducing diversity, encouraging weed invasion, adversely affecting wildlife and increasing fire susceptibility. The proposed project has been designed to incorporate dust control measures required by the City Grading Ordinance (as discussed in Section 4.2, under *Air Quality*). In addition, as stated above, the closest area of proposed construction associated with the project would be approximately 175 feet away from Buena Vista Creek, although the majority of the project construction would be at least approximately 350 feet away from the creek. As a result, the effects of dust on surrounding vegetation would be less than significant.

5.5.3 Mineral Resources

The SP area is currently developed to support an existing active regional shopping center with the anchor stores and associated main mall complex located in the central portion of the SP area, with surface parking lots and out-buildings surrounding the mall but within the larger shopping center. The proposed improvements associated with the current SDP are planned within the existing shopping center property boundaries and generally within the existing parking lots in the SP area. According to the report entitled *Mines and Mineral Resources of San Diego County, California* (County Report 3), a salt-producing operation was present near or beneath the current shopping center in 1902 through 1920. The mining process consisted of drilling 30- to 50-foot-deep wells into the lagoon and pumping salt brine into evaporation ponds. Because the site has already been developed to support the existing improvements, and proposed improvements associated with the current SDP are relatively minor compared to the original construction, the likelihood of a loss of availability of a locally important mineral resource is relatively low. Additionally, there would be no loss of availability of a locally important mineral resource recovery site with implementation of the proposed SDP, as none are delineated within the applicable land use plans for the project.

5.5.4 Population and Housing

The current SDP proposal would not include the construction of housing and would not directly or indirectly induce population growth, although approximately 380 new retail jobs would be created by the project. Although the current SDP proposal would result in 35,417 sf of additional retail GLA in the SP area, no homes would be built and the small amount of new businesses would be in addition to existing commercial uses at an existing regional shopping center. Accordingly, the current proposal is not expected to directly induce population growth above levels anticipated in local plans. It is anticipated that the new retail jobs would be filled by persons from the local population. In addition, no substantial infrastructure or road improvements would be provided that would indirectly induce population growth. No existing housing or populations would be displaced by the project. Therefore, no impacts to population or housing would occur as a result of the current SDP proposal.

5.5.5 Public Services

Public services discussed below include fire services, police services and schools. Parks and recreational facilities are discussed in Section 5.5.6, *Recreation*.

Fire Services

The City of Carlsbad Fire Department provides fire protection services for the SP area. There are two fire stations that serve Westfield Carlsbad: Fire Station No. 1, located at 1275 Carlsbad Village Drive, and Fire Station No. 3, located at 3701 Catalina Drive. Fire Station No. 3 is the closer station to the project site, located approximately one mile to the southeast, but Westfield Carlsbad is located within the five-minute response time for both fire stations. Because these two fire stations are permanent facilities, and the current SDP proposal would add only 35,417 net new sf to an existing shopping center, the shopping center would continue to conform to the City's fire performance standards even with the additional square footage. Specifically, the existing shopping center and new commercial spaces and out-buildings would be fitted with sprinklers with centrally monitored fire life safety systems. Additionally, as the project would not directly or indirectly induce population growth in the area, there would be no increase in demand for upgraded or new fire protection services. No impacts to fire services would occur.

Police Services

The City of Carlsbad provides police protection services to the SP area. The Police Department Public Safety and Service Center, which also contains the Carlsbad Fire Department administrative offices, is located approximately five miles from the project site at 2560 Orion Way. The Carlsbad Police Department currently has a total of 162 personnel: 115 sworn and 47 civilian. The department has no current plans to expand their facilities (City of Carlsbad 2010a).

The Carlsbad Police Department divides the City into 14 areas, Beats 1 through 14. The SP area is located within Beats 8 and 11. Beat 8 includes the Westfield Carlsbad main mall, the North County Plaza shopping center east of the mall, the 2.9-acre portion of the Westfield Carlsbad shopping center south of Marron Road and the multi-family residences between Marron Road and Carlsbad Village Drive adjacent to El Camino Real. The Police Department response times for January through October of 2009 met or exceeded the performance standards for all three priority types. The average response time for Priority 1 crimes (violent crimes in progress and some non-violent crimes in progress, armed robbery alarms, injury or no-detail traffic collisions, and burglaries in progress) was 6.0 minutes, the same as the 6.0-minute standard. The average response time for Priority 2 crimes (non-violent, in progress) was 11.8 minutes, compared to a 15-minute performance standard. Priority 3 crimes (reporting after the fact) showed a response time of 22.6 minutes, compared to a 30-minute standard (City of Carlsbad 2010a). As the current SDP proposal would not directly or indirectly induce population growth in the area, police response times would not be affected and no impact to police services would occur.

School Services

The project is served by the Carlsbad Unified School District (CUSD), which serves primary/ elementary school through high school students (K-12). As the current SDP proposal would not create additional dwelling units or directly or indirectly increase the number of local residents, it would not create additional school enrollments. Because enrollment would not be affected, impacts to schools would not occur.

5.5.6 Recreation

The City of Carlsbad operates and maintains 26 parks. The City, along with the California Department of Fish and Game, manages the Batiquitos, Buena Vista and Agua Hedionda Lagoons as nature preserves and recreational amenities. The 5.5-acre Hosp Grove Community Park is located to the southwest of the SP area. Primary access to the park is located near the

intersection of Jefferson Street and Marron Road. Hidden Canyon Community Park and Ann D. L'Heureaux Dog Park are located approximately 1.4 miles southeast of the SP area. The City recreational planning documents do not identify new parks or recreational facilities within the SP area. In addition, the proposed SDP would not directly increase housing stock or the number of residents in the community. New customers and employees that may be drawn to the shopping center by implementation of the current SDP proposal would not significantly affect the use of existing parks and recreation facilities located off site and would not affect demand for recreational facilities. Thus, impacts to parks and recreational facilities would be less than significant.